IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1197 OF 2004

Indian Telecom Factories Engineers'
Association (Group 'A'). .. Petitioners
V/s
Union of India & Anr. .. Respondents

Mr.R.D.Soni i/by M/s.Ram & Co.for the Petitioners.
Mr.A.S.Rao for the Respondents.

CORAM: S.RADHAKRISHNAN &
S.A.BOBDE, JJ.
DATE : 1.11.2004.

P.C.:

1. Heard the learned Counsel for the Petitioners and the learned Counsel for the Respondents. Rule. Rule is made returnable forthwith by consent. The learned Counsel for the Respondents waives service.

2. By this petition, the Petitioners are challenging the order dated 8.8.2003 whereby the Central Administrative Tribunal had declined to interfere mainly on the ground of lack of jurisdiction. After hearing the learned Counsel for the parties for sometime, Mr.Rao, the learned Counsel for the Respondents fairly states that in the instant case with regard to the employees involved in this Petition the Central Administrative Tribunal will have jurisdiction to entertain the matter. The learned Counsel for the Respondents very categorically states that they will not raise any objection with regard to the jurisdiction of the Central Administrative Tribunal.

3. Under these circumstances, as both the learned

Counsel are in agreement that the Central Administrative Tribunal has jurisdiction, we are inclined to quash and set aside the order dated 8th August, 2003 passed by the Central Administrative Tribunal, without going into the merits and demerits of the matter and we accordingly remand back the matter to the Central Administrative Tribunal. Central Administrative Tribunal to dispose of the matter on merits, in accordance with law, as expeditiously as possible, preferrably within a period of six months from today. All the contentions of the parties are expressly kept open with regard to the merits of the matter. Rule is made absolute in terms of the above.

(S.RADHAKRISHNAN,J.)

(S.A.BOBDE,J.)